DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM AND
DIVISION OF FISH AND WILDLIFE
AND THE NEW JERSEY STATE HOUSE COMMISSION
Commencing 3:05 p.m.

IN RE:

: TRANSCRIPT OF
PROPOSED EXCHANGE OF : PROCEEDINGS HELD VIA
PROPERTY WITH THE : VIDEOCONFERENCE

CENTRAL JERSEY RIFLE :

AND PISTOL CLUB, INC. : IN JACKSON TOWNSHIP, : APRIL 15, 2021

OCEAN COUNTY, AND
UPPER FREEHOLD
TOWNSHIP, MONMOUTH
COUNTY

PRESENT:

MARY MONTESCHIO, ESQ., Regulatory Officer NJDEP Division of Fish and Wildlife

DAVID GOLDEN, Director NJDEP Division of Fish and Wildlife

JASON HEARON
NJDEP Division of Fish and Wildlife

JUDETH YEANY, NJDEP Green Acres Program

MATTHEW McINERNEY, NJDEP Green Acres Program

ROBERT SHAUGHNESSY, Secretary, State House Commission

APPEARANCES:

DAVISON, EASTMAN, MUNOZ & PAONE, P.A. Attorneys for Central Jersey Rifle and Pistol Club BY: DUANE O. DAVISON, ESQ.

BETSY CONDIOTTI & ASSOCIATES
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"PRESERVING YOUR RECORD"

2.2

MS. YEANY: Okay, I think we'll get started. The first order of business is I wanted to let people know that we are creating a recording of the meeting. So I am going to hit the record button, just so people are aware that this is being recorded.

Okay. Thanks everyone for joining us.

My name is Judeth Yeany. That's Y-E-A-N-Y. I'm with
the Green Acres Program of the New Jersey Department
of Environmental Protection.

Just as a matter of housekeeping, I wanted to let you know that in addition to the video recording, we do have a court reporter as one of our attendees. She's going to be creating a written transcript of the hearing that we will post on our website as soon as it's available.

At the point where we do accept public comment, if people could introduce themselves, spell their name and let her know your affiliation, if you choose to give it, we would appreciate that.

Until the part where we open it up for public comments, we're going to keep everybody but the presenters on mute just to minimize background interference. So we ask that you keep comments and questions to the end, at which point we will go through the attendance list and give everybody an

opportunity to comment.

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If you're using Teams through the Teams app and you want to send us a question in the chat, feel free to do so. I did put in the chat already the link to the report that we released about this transaction, the maps and the appendixes.

So if, again, you're attending on your computer and you have the Teams app and you're able to see the chat window, you can follow those links to access the information that we released about this proposal. Otherwise, if you're attending by phone or you don't have the Teams app, that information is on the Green Acres Program website in our Public Notices section.

Hold on. Sorry. Okay. So, like I said,
I'm with the Green Acres Program, and a lot of you
are familiar with our program because we're
responsible for administering Green Acres bond and
tax money. We use it to buy property on behalf of
the State, and we also distribute it to towns,
counties and non-profits to either buy parks or
develop parks for recreation or conservation
purposes.

We also serve as a real estate office for the Department of Environmental Protection, so when

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issues come up with DEP properties, such as somebody wanting to exchange land with us, we handle that transaction for the Department.

Before I get into the substance of the transaction, I want to introduce who else I have here with me from DEP and also to let you know that we are conducting this hearing jointly with the State House Commission, which is a legislative commission that also has oversight over these transactions.

So Bob Shaughnessy, who's the Secretary of the State House Commission, has joined us here today and this is considered to be a joint hearing with the Commission. Bob, if you could just speak so people can see you on their screens?

MR. SHAUGHNESSY: Good afternoon. Bob Shaughnessy for the State House Commission. Happy to be here.

MS. YEANY: Thank you. Also from DEP today I have Dave Golden, who's the Director of Fish and Wildlife; we have Jason Hearon, who's Fish and Wildlife's -- I know it used to be the Real Estate Bureau; I think it has a different name, but it has general oversight over Division properties; and we have Mary Monteschio, who's a regulatory officer in Fish and Wildlife.

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So we're here today to conduct a public hearing on a proposed exchange of property with the Central Jersey Rifle and Pistol Club. Part of the reason we're conducting the hearing is that we have a statute that governs the conveyance of over an acre of DEP property.

So any time we want to convey a property interest in an amount more than an acre, we have a process that we have to follow that's dictated by what we call our DEP conveyance statute, which some of you may also know as the Ogden-Rooney legislation. It's a statute that's been in place since about 1990 and it's often known after the original sponsors of the bill.

So our statute requires that when we want to convey more than one acre of property, we have to follow a pretty lengthy and detailed process before we go through with the conveyance.

The first step in that process is to prepare a report analyzing the transaction, and that's the report that I linked to in the chat. And, as I said, that report's available on the Green Acres website.

We prepare a report analyzing the transaction and we describe what it is we want to do,

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and we have to analyze both the economics and the environmental aspects of the transaction. We're then required to distribute that report to certain local officials, both at the municipal and county level, and to select members of the legislature, and to advertise at least 30 days in advance that we're going to conduct a public hearing on the proposed conveyance.

The Public Hearing Notice gets
distributed in the New Jersey Register, the DEP
Bulletin, several newspapers and we also post it on
our website.

So we give notice that we're having a public hearing, and if the transaction involves over five acres, we're actually required to have two public hearings.

The first hearing is normally held in the municipality in which the property is located, which here is Jackson Township. And the second hearing is held two weeks later in the City of Trenton, where our agency is located.

In this matter, due to the state of public health emergency, both hearings are being conducted remotely. And the first hearing, which would normally have been the Jackson Township

hearing, was conducted on March 30th or 31st. Sorry,

I forget which of those days it was.

So today is the second of the required public hearings and it's the one that's normally held in the City of Trenton. And as I mentioned, this hearing is a joint hearing with the State House Commission, which has its own statutory obligation to conduct a hearing on DEP conveyances that trigger the Ogden-Rooney process.

And for those of you not familiar with the State House Commission, it's a legislative commission consisting of both elected legislative members and members of State administration and it has oversight over State property for a variety of State agencies.

By statute, the earliest that we can take any action on the proposal that we're going to discuss today is roughly the middle of July. We are required to wait 90 days from today's hearing before taking any formal action on this proposal. At the end of our process we're required to obtain the approval of both the DEP Commissioner and the State House Commission.

So if we decide to go through with this proposal, we would take it first to our Commissioner,

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make our recommendations, ask him to sign off on it,
and after that we take it to the State House

Commission.

We have no definite date on which we would bring it before either the Commissioner or the State House Commission. The Commission generally meets quarterly and does not set its meeting dates in advance. It usually convenes in September and not the middle of the summer, but, as I said, there's no set schedule and it could be later in the year. But we are not allowed to take any formal action before the middle of July.

If the transaction is approved by the Commissioner and the State House Commission, then we would go through with the land exchange as proposed tonight and execute deeds and documents with the Club.

So we're going to explain a little about what it is that we propose to do, and then we're going to have a representative of the Club explain why they asked us to undertake this action, and then we'll open it up for you to give us your comments on the proposal.

Matt, if you could pull up the General Location Map, please. And maybe zoom in a couple of

ticks. Okay. I think that's good.

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Again, for those of you who have joined us by the phone or are not able to see the map on the screen, we do have these maps on our website.

But just to get our bearings, the property that we're proposing to convey is part of the Colliers Mills Wildlife Management Area, which consists of more than 12,000 acres in Jackson and Plumstead Townships in Ocean County.

The nearest street is Stump Tavern Road, which is a little hard to see on this map, but we're talking about the area located in blue, outlined in blue.

So, our land is designated for tax purposes as Block 17601, Lots 1, 3, 4 and 7; and the area outlined in blue consists of about 43.05 acres.

Matt, can you switch to the map that shows the Club's property?

So this is a close-up of the area outlined in blue. As I said, those areas outlined in blue come to about 43.05 acres; and the area in the middle of this map, where you can see the facilities, is one of the properties owned by the Club. And as you can see towards the top of the map, we have had over the years a physical encroachment by the Club's

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operations on that property and a little bit of an encroachment on the bottom, but we'll get into more detail about that in a moment.

Matt, I'm sorry, if you could switch back to the General Location Map. So in the upper left-hand corner of this map outlined in orange, you can see our Pleasant Run Wildlife Management Area, and the area outlined in orange is property currently owned by the Club that we propose to accept in exchange for the area outlined in blue. So, the designation of that property is Block 43, Lot 24 in Upper Freehold. It's accessed off Route 539. And I think we have a close-up view of that, Matt.

So on this map, the areas outlined in -or shaded in the lighter green color are the areas
that are already part of the Wildlife Management
Area, and the area outlined in orange is the area we
propose to accept from the Club and add to the
Wildlife Management Area.

Just one more thing I want to mention before we turn this over to the Club. Well, a couple of things.

So the Club was established in 1960 or '61. The Club President will correct me on that when he speaks, because I think I had it wrong last time.

We purchased our lands in 1967. So the Club's ownership in Jackson Township preceded ours.

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We know from our own property records and from our familiarity with Jackson Township area that titles in that area and survey lines are sometimes difficult to interpret. And one of the things you'll hear from the Club was that, you know, some of what we're seeing out there is a matter of unclear boundary lines, which will be addressed by this transaction.

Before I turn it over to the Club, I just wanted to mention that we will be accepting written comments on this proposal for an additional two weeks. Those comments can be addressed to Mary Monteschio, and we'll put her address in the chat as well. It's also in the Public Hearing Notice on our website.

And certainly because we will not be taking formal action on this proposal until the middle of July, any comments that come in after April 29th will certainly be taken into consideration, but we are required to kind of close the record of this public hearing and gather together those comments so that we can let people know what happened at the hearing.

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Loyer.

So if you would like to submit written comments after today's hearing, you're still welcome to do that.

Okay, so, Matt, maybe just pull up the close-up map of the -- the second map, the one that shows the Club property, and I'm going to ask the Club to explain why they approached us about this transaction.

Sorry, I muted myself. Okay, go ahead.

MR. LOYER: Hello, my name is Byron

MR. DAVISON: If I could just -- I just want to -- my name is Duane Davison, D-A-V-I-S-O-N, Davison, Eastman, Munoz and Paone. We represent the Club.

Thank you so much to the representatives of DEP for this process that we have been going through now for right onto a decade. The professionalism is greatly appreciated. We appreciate the holding of these hearings and the accessibility and the fact that it was approved to have this by virtual hearing.

In terms of the history of the Club, the history of what brought about the necessity for the Club approaching DEP concerning this matter, I will

ask the Club President, Byron Loyer, whose toes I

stepped on as he began to speak, and ask him to

explain how he got to where we are.

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MR. LOYER: Thank you. My name is Byron, B-Y-R-O-N, Loyer. I am currently the Chairman of the Board of Central Jersey Rifle and Pistol Club. We are located, needless to say, in Jackson.

The map you're looking at shows our 50-acre parcel, but if you look on Stump Tavern Road, all that property is also ours; there's a hundred acres there.

Okay. The Club was established in 1959 with a group of fellows that started a shooting club. Okay? Since then, needless to say, it's expanded. About 15 years ago, we had some survey -- we hired an environmental company to come in and look at our situation, lead fall and stuff like that, what we had to do to clean it up. And at that time, we realized that we were polluting or putting lead onto State property.

One of the problems that comes in is, because the Club is so old, the surveys back then weren't accurate. Even your State surveys right now aren't accurate. Okay? With modern technology, with GPS and stuff like that, needless to say we found out

we had a problem. Okay? We went to the State and let them know about it.

2.2

We've had numerous meetings with the State regarding this. We're trying to be good stewards of the land, good neighbors, so we wanted to address it. We tried to come up with a solution about leasing the land to possibly clean it up. That wasn't viable to the State. Okay?

The other option was a land exchange. We went -- and the State was looking at a piece of property in Upper Freehold, which is the Socey property. It was a family-owned property that was inherited by two brothers; one in Michigan, one in Florida. Okay? They couldn't come to terms with the State, due to the financial situation with the State. There was a lot of things they weren't going to pay for.

We paid for a survey on this property. It was in excess of \$30,000, and we came to terms with them, a little bit more than what the State wanted to pay, and since then we've acquired the property. Okay?

Now, we'd like to do the exchange. We feel it's very positive for both people involved. We get to clean up the land that we've, I guess,

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polluted, and the State gets a piece of property that they're very interested in. So needless to say, it's a win-win situation for both.

This will be the fifth major project cleaning up property, our property, okay, from lead. We have cleaned up in excess of 200,000 pounds of lead. We've spent in excess of \$4 million doing these. Our intention with this property is to clean it up and put what they call a shot curtain to contain the lead so that it's easier for us to clean it up.

Hopefully we can work this out. Like I say, we try and be good stewards of the land. Our club is one of the biggest on the East Coast. We have almost 4,000 members. And fortunately we have the resources to take care of this. So hopefully this is a win-win for both and we can work this out. Thank you very much.

MR. DAVISON: Judeth, there's just one thing, if I could, I'd like to add. And that is Mr. Loyer indicated that there had been four previous cleanups, expended in excess of \$4 million. The same company that did those cleanups has been contacted and has provided an estimate for the Club of \$1,006,000 to undertake this.

2.2

at this time.

So that the Club is not new to the rodeo, if you will, of cleaning up the lead depositions as they occur on the property and have already undertaken to get the estimate and to line things up so this would be done expeditiously in the event that the DEP Commissioner and the State House Commission acts favorably on this proposal. Thank you.

MS. YEANY: Okay. Thank you very much for that information.

What we're going to do now is I am going to go down the list of attendees and give everybody who wants to the opportunity to speak. Hang on one second. People are continuing to join us.

Okay. And please don't feel obligated to comment. We just want to make sure that everybody has the opportunity. So I'm just going to go down the list as I can see it on my computer.

Starting with the person who's on the phone with phone number ending in 0211. And actually, I don't seem to be able to unmute that person, so I don't know if you're able to unmute on your end. There we go. Would you like to comment?

UNIDENTIFIED SPEAKER: I have no comment

MS. YEANY: Okay. Betsy, I don't know if

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you could hear that, but the person said they have no
1
2
     comments. Okay.
                 I have someone who's shown as Guest with
 3
 4
     no name. Would you like to comment? And, again, I
     don't seem to be able to unmute you, so you would
5
 6
     have to unmute yourself I think.
7
                 MR. COAKLEY: If you're talking about me,
     my name is John Coakley, C-O-A-K-L-E-Y.
8
9
                 MS. YEANY: I don't think so, Mr.
10
              Hang on one second.
     Coakley.
                 MR. COAKLEY: Oh, okay.
11
12
                 MS. YEANY: Because the person who's
13
     marked as "Guest" is still muted, so I don't think
14
     I'd be hearing them. Let me just make sure I can see
15
     you further down the line. Oh, maybe -- oh, no, I do
16
     see you. So, I'm sorry, I'll get to you later down
17
     the list.
18
                 Okay. And, again, if for some reason
19
     someone's trying to unmute and can't and is not able
20
     to comment, please try to let us know through the
21
     chat or you can send a written comment to us after
2.2
     the hearing.
23
                 So the next person I have here is Andrew
24
     Gold.
            Would you like to comment? I think, Andrew,
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you muted yourself. I don't -- there you go.

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MR. GOLD: Can you hear me?
1
2
                 MS. YEANY: Yes, we can hear you now.
                                                         Go
     ahead.
3
 4
                 MR. GOLD:
                           Okay. Yeah, so --
 5
                 MS. YEANY: Please give your name, your
 6
     affiliation to the court reporter.
7
                 MR. GOLD:
                           Oh, I'm sorry, yes.
                                                  This is
     Andrew Gold, G-O-L-D. And I'm with the Pinelands
8
     Preservation Alliance.
9
10
                 MS. YEANY: Okay. Go ahead.
                                                Thank you.
                 MR. GOLD: Sure. Thanks. So we'll be
11
12
     following up with the comments, written comments, as
13
     well, but, as we expressed during the prior hearing,
14
     we remain concerned that this transaction, this
15
     proposed transaction, is flawed. And I just strongly
     question whether this is in the best interest of the
16
17
     public, for a couple reasons that we'll point out.
18
                 First, the contaminated parcels in
19
     Colliers Mills, we think they should be remediated
20
     before any land conveyance is even considered.
21
     what I gather from the last hearing, the State
2.2
     appears to be analyzing the remediation issue under
23
     the Resource Conservation and Recovery Act, which
24
     generally places responsibility for environmental
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cleanup with any parties contributing to the storage

or handling or disposal of the hazardous solid waste.

And in that instance, it would seem that NJDEP would also bear some responsibility potentially for cleaning up the contamination.

But even so, we think the New Jersey

Spill Act would also be applicable. Discharges under that statute include releasing hazardous substances onto the lands of the State, and lead and lead compounds are included in the State's hazardous substances list. And because the Spill Act covers parties that are in any way responsible for the hazardous substance, and it's without regard to fault, we think DEP bears at least some responsibility for making sure the site is remediated.

And I understand the efforts the Club has undertaken to clean up the area. But in the case of this exchange, we strongly question whether it's in the public interest for the State to allow its public lands to be polluted and then sell them to a private party before the remediation has been completed.

And additionally, we don't -- we strongly question the Club's -- what I understood from the last hearing, the Club believes it won't be able to further develop the lots that it wants to acquire in

Colliers Mills, but we really don't think that is so clear.

The Comprehensive Management Plan in the Pinelands allows municipalities to expand on conforming uses that preexist the adoption of the Pinelands protection laws, subject to environmental standards in the CMP and expansion area limitations and other conditions. But expansion of an existing use is permitted, and Jackson Township's code also provides that intensive recreation may be expanded, including with accessory structures.

So, again, the question we have is is it likely that this exchange will result in an expansion of the Club on the property which currently belongs to the public. And, again, we just -- if that's plausible or likely, which we think it is, we just question whether this proposal would be in the public interest.

So, like I said, we'll be following up with more written comments, but I think that's all I have for now. I appreciate it. Thanks.

MS. YEANY: Thank you, Mr. Gold.

Mr. Schneiderman, would you like to

comment?

2.2

MR. SCHNEIDERMAN: Yes, please. My name

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is Dave Schneiderman, S-C-H-N-E-I-D-E-R-M-A-N.
1
     a member of the Club, and I have reviewed the
2
     information provided both by the Club and the State,
3
     and that information leads me to conclude that the
 4
5
     conveyance of the property will benefit both the
     State and the people of New Jersey and, therefore, I
6
7
     do support this action by the State and the DEP to
     accommodate the conveyance of property to the Club --
8
9
     or between the Club and the State. Thank you.
10
                 MS. YEANY: Thank you, Mr. Schneiderman.
     Mr. Goch, would you like to comment?
11
12
                 MR. GOCH: Nothing at this time.
13
     you.
14
                 MS. YEANY: I'm sorry, I muted myself
15
            Betsy, that's G-O-C-H.
     again.
16
                 Mr. Howell, would you like to comment?
17
                 MR. HOWELL: I'm assuming there's only
18
     one Mr. Howell, or is there two?
19
                 MS. YEANY: No, you're the only one;
20
     thank you.
21
                 MR. HOWELL: Okay. Yes, I would; thank
2.2
     you. Jason Howell, Pinelands Preservation Alliance.
23
                 You know, I have two issues, you know, I
24
     definitely wanted to bring up quickly related to the
     accuracy of the appraisals.
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You know, I went over both appraisals,
1
2
     and, you know, one thing that concerned me is that
 3
     the appraisals that were obtained by NJDEP for the
 4
     replacement tract relied on a hypothetical condition
5
     of a deeded access point to the parcel, where no such
 6
     access actually exists. Am I accurate in that
7
     statement?
8
                 MS. YEANY: You're talking about the
9
     Upper Freehold property?
10
                 MR. HOWELL: Right, the replacement
11
     tract.
12
                 MS. YEANY:
                             We have looked into that
13
     access, although I will say that in the end, from a
14
     management perspective, because it's going to be
     added to the Wildlife Management Area, that was not a
15
     crucial determination for us.
16
17
                 I can tell you our appraisers, they're
18
     usually pretty cautious and they won't accept a
19
     hypothetical unless they think there's a basis for
20
          So if you'd like to include that in your
21
     comment, we can respond in more detail about that.
2.2
                 MR. HOWELL: Yes. So, I mean, the
23
     concern is that the number, the appraised value
24
     that's being publicized, is much higher than what the
25
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actual value would be of the replacement tract if

that hypothetical condition wasn't included.

2.2

And so the advertisements that were promoted by NJDEP were much -- the value is much higher than what the actual appraised market value of the land was. So I think it's just an inaccurate valuation based on that condition.

The second concern is related to what Andrew had discussed earlier, in that the appraisal obtained by the Club for the NJDEP tract, part of Colliers Mills WMA, relied on the finding of a highest and best use of passive recreation.

However, if you read the zoning of

Jackson Township, that -- the preservation area in

Jackson Township is not relegated to passive

recreation. It includes the expansion of intensive

recreation and building of accessory structures.

So I think the appraisal that the Club obtained was also inaccurate because those conditions were not considered as part of the -- as part of the appraisal.

MS. YEANY: So I can tell you on that that we looked very closely at recreation of any kind being the highest and best use because that's not normally how we approach the appraisal process. Our appraisal standard is highest and best use or

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intended use, whichever gives the greater value.
1
                 It appeared in this location that the two
2
3
     were the same, the highest and best use and the
 4
     intended use, but we'll certainly take a look at the
     particular issue you're raising with respect to
5
     Jackson Township's ordinance.
 6
7
                 MR. HOWELL: Okay. That's it for now.
8
     Thank you.
9
                 MS. YEANY:
                             Thank you. Mr. Coakley,
10
     would you like to comment?
                 MR. COAKLEY: I think I would.
11
12
     name's John Coakley, C-O-A-K-L-E-Y. I'm Treasurer
13
     with Central Jersey Rifle and Pistol Club.
14
                 I think some of the concerns about
15
     remediating the property before transference, I think
     our record speaks for itself, on our previous litter
16
17
     remediations that we've done on the property we
18
     already own.
19
                 We're very committed to this. We know
20
     it's an issue and we want to resolve it. And I don't
21
     think there should be any question as to whether
2.2
     it's, you know, going to be done or it will be done
23
     right.
24
                 We bring in, you know, a good company
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that does a great job, and we, you know, make it --

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put in processes that, as Byron, the Chairman of the
1
     Board, already spoke of, we try and come up with
2
     issues -- not issues. We try and come up with ideas
 3
 4
     that will help prevent future or minimize future lead
     fall in that area. So that's all I have to say.
5
                 MS. YEANY:
 6
                             Thank you.
7
                 Mr. Hill, would you like to comment?
                 MR. HILL: Not at this time. Thank you.
8
9
                 MS. YEANY: Betsy, I don't know if you
10
     caught that. I didn't hear what he said.
                 (Whereupon a discussion was held off the
11
12
     record.)
13
                 MS. YEANY: Mr. Benyo, would you like to
14
     comment?
               Okay.
15
                  (Whereupon a discussion was held off the
16
     record.)
17
                 MS. YEANY: Oh, I believe Mr. Benyo is
18
     having trouble with his mic. I can see -- he appears
19
     to be unmuted to me, but I can't hear him.
20
                 I don't know if you want to type your
21
     comment in the chat and I'll read it when I get to
     the end of the list and we'll try to respond that
2.2
23
     way. Or we can -- yeah, he'll do that. Okay.
                 Ms. Miksiewicz, would you like to
24
25
     comment?
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MS. MIKSIEWICZ: No, I don't have any
1
2
     comment at this time. Thank you.
 3
                 MS. YEANY: Okay, thank you.
 4
                 Can you see that spelling, Betsy?
                 (Whereupon a discussion was held off the
 5
     record.)
 6
7
                 MS. YEANY: Mr. Hausman, would you like
     to comment?
8
9
                 Okay. The next person is listed as Ron,
10
     no last name. Would you like to comment?
                 Mr. Benyo has rejoined us.
11
                 Mr. Hausman, or Ron, if you wanted to
12
13
     comment, I'm not able to unmute you. You'll have to
14
     jump in.
15
                 But, Mr. Benyo, do you want to see if
     your mic's working now? Unfortunately not. I'm
16
17
     sorry. I'm sorry, why don't you try typing your
18
     comment and I -- we don't have that many more people;
     I'll get to it in just a minute.
19
20
                 Mr. Vosseller, would you like to comment?
21
                 Okay, let me just check the list again.
2.2
     Someone listed as Deborah, no last name, as a guest,
23
     would you like to comment?
24
                 DEBORAH:
                           Nope, just tuned in.
25
                              Thank you. And I'm sorry
                 MS. YEANY:
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about that; you missed all the exciting parts.
1
     we are accepting public comment, if there's anything
2
     you'd like to put on the record.
 3
 4
                 Okay. So I just want to make sure -- go
     ahead.
5
                 (Audio interference)
 6
7
                 MS. YEANY: Dave, I'm going to mute you.
                 Mr. Vosseller, did you want to comment?
8
9
     Okay.
10
                 So, I'm sorry, Mr. Benyo, we don't seem
     to be able to fix your technical problem. But if you
11
12
     do want to put a question in the chat, I can look at
13
     it now because I think we've gotten through the rest
14
     of the list, or you're welcome to send a comment to
15
     Mary Monteschio.
16
                                   Judeth, I see a comment.
                 MS. MONTESCHIO:
17
                 MS. YEANY: Go ahead. Oh, here it is.
18
     Mr. Benyo is a member of the Central Jersey gun club.
19
     He wants to applaud the level of due diligence on
20
     this transaction and say that this is in the best
21
     interests of both the public and the Club.
22
                 Okay. And another comment we want to put
23
     on the record is from Mr. Eugene Goch, G-O-C-H, who
24
     wants it on the record that we keep hearing there is
25
     no access to the Freehold property. My understanding
```

2.2

is that an easement exists. After the exchange there
would be access via the existing State property.

So there's two issues here. One is whether an easement exists for the purposes of being taken into account as part of the appraisal to justify the fair market value as part of this exchange.

The second point Mr. Goch raises is the one that I raised, which is once we -- if the State acquired the property, it would be added to the Wildlife Management Area and access to the property would be through contiguous State land.

Mary, I don't know if you have a specific recollection on that access easement issue because I know we did look at it. I'm just having trouble remembering the details.

So Mr. Gold was -- I'm sorry, Mr. Howell was describing it as a hypothetical condition. But is your -- in your recollection, was it something stronger than a hypothetical or --

MS. MONTESCHIO: Yes.

MS. YEANY: Okay. So --

MS. MONTESCHIO: But I don't remember if it was access or if it was something like sewer access or municipal water access. There was

```
something -- I forget exactly what it was.
1
     will look into it.
2
                 MS. YEANY: So I think that's something
 3
 4
     we'll have to respond to on the record. You know,
     we'll communicate directly with Pinelands
5
     Preservation Alliance once we figure out what our
 6
7
     further research showed on that. And certainly when
     we do summarize the public comment for purpose of
8
     going to our Commissioner and the State House
9
10
     Commission, we'll address any comments specifically,
     you know, if that's what we end up doing with this
11
12
     transaction.
13
                 Okay. So let me just check the list
14
     again because I think I have gone through the entire
15
     list and I just want to make sure I didn't miss
16
     anybody. Okay, I'm not seeing any additional names
17
     that are not DEP folks.
18
                 And, Mr. Shaughnessy, I don't know if
19
     there's anything you want to say on the record.
20
                 MR. SHAUGHNESSY: No, thank you, Judeth.
21
     I appreciate the completeness of your public hearing
2.2
     process and happy to participate with you in it.
23
     Thank you.
24
                 MS. YEANY:
                             Okay.
                                    You're welcome.
                                                      So
```

one last chance, if anyone thought of anything else

they want to put on the record. And, like I said, you're welcome to write to us for the two weeks following this hearing that will be part of the record of the hearing. We will accept comments after that up until the time that we make a final decision on this matter. But comments within the next two weeks would be appreciated.

And, as I said, the earliest we would take any kind of formal action on this is the middle of July, but most likely not until the fall. So if you have any particular concerns after the hearing, please be sure to let us know.

And I think with that, we're going to close the record of the hearing. I'm going to stop recording. And thank you, everyone, for taking the time to join us today. We appreciate your participation.

MR. DAVISON: Thank you.

 $$\operatorname{MR.}$ SHAUGHNESSY: Thanks, everyone from the State. Appreciate it.

(Whereupon the public hearing was concluded at 3:47 p.m.)

2.2

C E R T I F I C A T E

I, BETSY CONDIOTTI, a Certified Court

Reporter of the State of New Jersey, certify that the foregoing is a true and accurate verbatim transcript of the virtual hearing as taken by and before me on the date hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney, nor counsel for, nor related to or employed by, any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

BETSY CONDIOTTI, CCR
CCR License No. XIO1642

N O T E S	

\$	7	administering [1] - 3:18 administration [1] - 7:13	9:19, 9:21, 10:8, 10:10, 10:17, 11:4, 11:5, 19:17, 20:7, 23:13, 25:5	brothers [1] - 14:13 brought [1] - 12:24
\$1,006,000 [1] - 15:25 \$30,000 [1] - 14:19	7 [1] - 9:15 732 [1] - 1:24	adoption [1] - 20:5 advance [2] - 6:6, 8:8	areas [3] - 9:20, 10:14, 10:15	building [1] - 23:16 Bulletin [1] - 6:11 Bureau [1] - 4:22
1	9	advertise [1] - 6:6 advertisements [1] -	aspects [1] - 6:2 ASSOCIATES [1] - 1:23	business [1] - 2:2 button [1] - 2:4
'61 [1] - 10:24	90 [1] - 7:19 922 [1] - 1:24	23:2 affiliation [2] - 2:18, 18:6	assuming [1] - 21:17 attendance [1] - 2:25 attendees [2] - 2:13,	buy [2] - 3:19, 3:21 BY [1] - 1:22 Byron [4] - 12:10, 13:1,
0	Α	afternoon [1] - 4:15 agencies [1] - 7:15	16:11 attending [2] - 3:7, 3:11	13:4, 25:1 BYRON [1] - 13:5
0211 [1] - 16:19		agency [1] - 6:21 ago [1] - 13:15	attorney [2] - 31:9, 31:12	С
1	able [9] - 3:8, 9:3, 16:20, 16:21, 17:5, 17:19,	ahead [5] - 12:9, 18:3, 18:10, 27:5, 27:17	Attorneys [1] - 1:21 Audio [1] - 27:6	C-O-A-K-L-E-Y [2] -
1 [1] - 9:15	19:24, 26:13, 27:11 accept [5] - 2:16, 10:9,	Alliance [3] - 18:9, 21:22, 29:6	available [2] - 2:15, 5:22	17:8, 24:12 care [1] - 15:16
12,000 [1] - 9:8 15 [2] - 1:7, 13:15	10:18, 22:18, 30:4 accepting [2] - 11:12,	allow [1] - 19:19 allowed [1] - 8:11	aware [1] - 2:5	case [2] - 19:17, 31:14 caught [1] - 25:10
17601 [1] - 9:15 1959 [1] - 13:12	27:2 access [11] - 3:10, 22:5,	allows [1] - 20:4 almost [1] - 15:15	В	caught [1] - 25.10 cautious [1] - 22:18 CCR [2] - 31:16, 31:17
1960 [1] - 10:23 1967 [1] - 11:1	22:6, 22:13, 27:25, 28:2, 28:11, 28:14, 28:24, 28:25	amount [1] - 5:8 analyze [1] - 6:1	background [1] - 2:22 based [1] - 23:6	CENTRAL [1] - 1:6
1990 [1] - 5:12	accessed [1] - 10:12 accessibility [1] - 12:21	analyzing [3] - 5:20, 5:24, 18:22	basis [1] - 22:19 bcondiotti@gmail.	Central [5] - 1:21, 5:3, 13:6, 24:13, 27:18
2	accessory [2] - 20:11, 23:16	AND [5] - 1:1, 1:2, 1:2, 1:7, 1:8	com [1] - 1:24 bear [1] - 19:3	certain[1] - 6:3 certainly[4] - 11:18,
200,000 [1] - 15:6 2021 [1] - 1:7 2110 [1] - 1:24 24 [1] - 10:11	accommodate [1] - 21:8 account [1] - 28:5 accuracy [1] - 21:25 accurate [4] - 13:23,	Andrew [4] - 17:23, 17:24, 18:8, 23:8 app [3] - 3:3, 3:8, 3:12 appeared [1] - 24:2 appendixes [1] - 3:6	bearings [1] - 9:5 bears [1] - 19:13 began [1] - 13:2 behalf [1] - 3:19	11:21, 24:4, 29:7 Certified [1] - 31:3 certify [1] - 31:4 CERTIFY [1] - 31:8 Chairman [2] - 13:5,
29th [1] - 11:21	13:24, 22:6, 31:5 acquire [1] - 19:25	applaud [1] - 27:19 applicable [1] - 19:6	believes [1] - 19:24 belongs [1] - 20:14	25:1 chance [1] - 29:25
3	acquired [2] - 14:21, 28:10	appraisal [6] - 23:8, 23:17, 23:20, 23:24,	benefit [1] - 21:5 Benyo [6] - 25:13, 25:17, 26:11, 26:15,	chat [8] - 3:3, 3:4, 3:9, 5:21, 11:15, 17:21, 25:21, 27:12
3 [1] - 9:15 30 [1] - 6:6 30th [1] - 7:1 31st [1] - 7:1 3:05 [1] - 1:3 3:47 [1] - 30:22	acre [3] - 5:5, 5:8, 5:16 ACRES [1] - 1:1 acres [5] - 6:15, 9:8, 9:16, 9:21, 13:11 Acres [7] - 1:16, 1:17, 2:8, 3:13, 3:16, 3:18, 5:22 Act [3] - 18:23, 19:6,	23:25, 28:5 appraisals [3] - 21:25, 22:1, 22:3 appraised [2] - 22:23, 23:4 appraisers [1] - 22:17 appreciate [6] - 2:19,	27:10, 27:18 best [6] - 18:16, 23:11, 23:23, 23:25, 24:3, 27:20 BETSY [3] - 1:23, 31:3, 31:16 Betsy [4] - 16:25, 21:15, 25:9, 26:4	check [2] - 26:21, 29:13 choose [1] - 2:19 City [2] - 6:20, 7:5 clean [6] - 13:18, 14:7, 14:25, 15:8, 15:10, 19:17 cleaned [1] - 15:6 cleaning [3] - 15:5.
4	19:10 action [9] - 7:17, 7:20,	12:20, 20:21, 29:21, 30:16, 30:20	between [1] - 21:9 biggest [1] - 15:14	16:2, 19:4 cleanup [1] - 18:25
4 [3] - 9:15, 15:7, 15:22 4,000 [1] - 15:15 43 [1] - 10:11 43.05 [2] - 9:16, 9:21	- 8:11, 8:21, 11:19, 21:7, 30:9, 31:10, 31:13	appreciated [2] - 12:19, 30:7 approach [1] - 23:24 approached [1] - 12:7 approaching [1] - 12:25 approval [1] - 7:22	bill [1] - 5:14 bit [2] - 10:1, 14:20 Block [2] - 9:15, 10:11 blue [6] - 9:12, 9:13, 9:16, 9:20, 9:21, 10:10 Board [2] - 13:6, 25:2	cleanups [2] - 15:22, 15:23 clear [1] - 20:2 close [5] - 9:19, 10:13, 11:22, 12:5, 30:14 close-up [3] - 9:19,
5	additional [2] - 11:13,	approved [2] - 8:13, 12:21	Bob [3] - 4:10, 4:13, 4:15	10:13, 12:5 closely [1] - 23:22
50-acre [1] - 13:9 539 [1] - 10:12	29:16 additionally [1] - 19:22 address [3] - 11:15, 14:6, 29:10 addressed [2] - 11:9, 11:14	April [1] - 11:21 APRIL [1] - 1:7 Area [6] - 9:7, 10:7, 10:17, 10:19, 22:15, 28:11 area [14] - 9:12, 9:16,	bond [1] - 3:18 bottom [1] - 10:2 boundary [1] - 11:9 bring [3] - 8:5, 21:24, 24:24	Club [34] - 1:21, 5:3, 8:17, 8:20, 9:23, 10:9, 10:18, 10:21, 10:23, 10:24, 11:7, 11:11, 12:6, 12:7, 12:15, 12:23, 12:25,

13:1, 13:6, 13:12, 13:22, creating [2] - 2:3, 2:13 **DIVISION** [1] - 1:2 28:7 concerned [2] - 18:14, 15:24, 16:1, 19:16, 19:24, exciting [1] - 27:1 22.2 crucial [1] - 22:16 **Division** [4] - 1:12, 20:14, 21:2, 21:3, 21:8, concerning [1] - 12:25 curtain [1] - 15:9 1:14, 1:15, 4:23 execute [1] - 8:16 21:9, 23:9, 23:17, 24:13, existing [2] - 20:8, 28:2 concerns [2] - 24:14, documents [1] - 8:16 27.21 30:11 done [4] - 16:5, 24:17, exists [3] - 22:6, 28:1, D CLUB [1] - 1:7 conclude [1] - 21:4 24.22 28:4 **club** [3] - 13:13, 15:14, concluded [1] - 30:22 down [4] - 16:11, 16:16, expand [1] - 20:4 date [2] - 8:4, 31:7 27:18 **CONDIOTTI** [3] - 1:23, 17:15, 17:16 expanded [2] - 13:14, dates [1] - 8:7 Club's [4] - 9:18, 9:25, 31:3, 31:16 **DUANE** [1] - 1:22 20:10 Dave [3] - 4:19, 21:1, 11:1, 19:23 condition [4] - 22:4, Duane [1] - 12:13 expansion [4] - 20:7, CMP [1] - 20:7 23:1, 23:6, 28:18 due [3] - 6:22, 14:15, 20:8, 20:13, 23:15 **DAVID**[1] - 1:13 **COAKLEY** [3] - 17:7, conditions [2] - 20:8, 27:19 expeditiously [1] - 16:5 Davison [2] - 12:13, 17:11, 24:11 23:18 during [1] - 18:13 expended [1] - 15:22 Coakley [3] - 17:8, 24:9, conduct [3] - 5:1, 6:7, explain [4] - 8:18, 8:20, **DAVISON** [6] - 1:21, 24:12 7:8 Ε 12:7, 13:3 1:22, 12:12, 12:13, 15:19, coakley [1] - 17:10 conducted [2] - 6:24. **expressed** [1] - 18:13 7:1 Coast [1] - 15:14 days [3] - 6:6, 7:2, 7:19 earliest [2] - 7:16, 30:8 code [1] - 20:9 **conducting** [2] - 4:7, F **Deborah** [1] - 26:22 easement [3] - 28:1, Colliers [4] - 9:7, 18:19, 5:4 **DEBORAH**[1] - 26:24 28:4. 28:14 20:1, 23:10 **conforming** [1] - 20:5 easier [1] - 15:10 facilities [1] - 9:22 decade [1] - 12:18 color [1] - 10:15 Conservation [1] decide [1] - 7:24 East [1] - 15:14 fact [1] - 12:21 Commencing [1] - 1:3 18:23 decision [1] - 30:5 Eastman [1] - 12:14 fair [1] - 28:6 comment [31] - 2:17, conservation [1] - 3:22 deeded [1] - 22:5 EASTMAN[1] - 1:21 fall [3] - 13:17, 25:5, 3:1, 16:15, 16:22, 16:23, consideration [1] -30:10 deeds [1] - 8:16 economics [1] - 6:1 17:4, 17:20, 17:21, 17:24, 11:22 efforts [1] - 19:16 familiar [2] - 3:17, 7:10 definite [1] - 8:4 20:24, 21:11, 21:16, considered [3] - 4:12, familiarity [1] - 11:4 definitely [1] - 21:24 either [2] - 3:21, 8:5 22:21, 24:10, 25:7, 25:14, 18:20, 23:19 **DEP** [14] - 4:1, 4:6, elected [1] - 7:12 family [1] - 14:12 25:21, 25:25, 26:2, 26:8, **consisting** [1] - 7:12 4:18, 5:6, 5:10, 6:10, 7:8, family-owned [1] **emergency** [1] - 6:23 26:10, 26:13, 26:18, consists [2] - 9:8, 9:16 7:22, 12:17, 12:25, 16:6, 14:12 **employed** [2] - 31:9, 26:20, 26:23, 27:2, 27:8, contacted [1] - 15:23 19:13, 21:7, 29:17 fault [1] - 19:13 31:13 27:14, 27:16, 27:22, 29:8 contain [1] - 15:10 **DEPARTMENT**[1] - 1:1 **employee** [1] - 31:12 favorably [1] - 16:7 comments [15] - 2:21, contaminated [1] -**Department** [3] - 2:8, encroachment [2] **fellows** [1] - 13:13 2:23, 8:22, 11:13, 11:14, 18:18 3:25, 4:3 11:20, 11:24, 12:2, 17:2, 9:25, 10:2 fifth [1] - 15:4 contamination [1] depositions [1] - 16:2 end [6] - 2:24, 7:21, figure [1] - 29:6 18:12, 20:20, 29:10, 30:4, describe [1] - 5:25 16:22, 22:13, 25:22, 29:11 30.6 final [1] - 30:5 contiguous [1] - 28:12 **COMMISSION** [1] - 1:2 describing [1] - 28:18 ending [1] - 16:19 financial [1] - 14:15 **continuing** [1] - 16:13 commission [2] - 4:8, designated [1] - 9:14 entire [1] - 29:14 financially [1] - 31:13 contributing [1] - 18:25 7:12 designation [1] - 10:11 Environmental [2] first [6] - 2:2, 5:19, convenes [1] - 8:8 detail [2] - 10:3, 22:21 2:9, 3:25 6:17, 6:24, 7:25, 18:18 Commission [14] **convey** [3] - 5:7, 5:16, 1:19, 4:8, 4:11, 4:13, detailed [1] - 5:17 environmental [4] - 6:2, FISH [1] - 1:2 9:6 Fish [6] - 1:12, 1:14, 4:16, 7:7, 7:11, 7:23, 8:3, details [1] - 28:16 13:16, 18:24, 20:6 conveyance [7] - 5:5, 8:6, 8:14, 16:6, 29:10 ENVIRONMENTAL[1] determination[1] -1:15, 4:19, 4:20, 4:25 5:10, 5:18, 6:8, 18:20, 1.1 Commissioner [6] -22:16 five [1] - 6:15 21:5, 21:8 7:22, 7:25, 8:5, 8:14, ESQ [2] - 1:12, 1:22 fix [1] - 27:11 develop [2] - 3:22, conveyances [1] - 7:8 16:6, 29:9 established [2] - 10:23, flawed [1] - 18:15 corner [1] - 10:6 committed [1] - 24:19 dictated [1] - 5:9 Florida [1] - 14:14 correct [1] - 10:24 communicate [1] - 29:5 estate [1] - 3:24 different [1] - 4:22 folks [1] - 29:17 counsel [2] - 31:9, company [3] - 13:16, difficult [1] - 11:6 Estate [1] - 4:21 follow [3] - 3:9, 5:9, 31:12 diligence [1] - 27:19 15:23, 24:24 estimate [2] - 15:24, counties [1] - 3:21 completed [1] - 19:21 directly [1] - 29:5 following [3] - 18:12, County [1] - 9:9 completeness [1] -Eugene [1] - 27:23 Director [2] - 1:13, 4:19 20:19, 30:3 **county** [1] - 6:4 29:21 event [1] - 16:5 discharges [1] - 19:6 foregoing [1] - 31:5 COUNTY [2] - 1:8, 1:9 compounds [1] - 19:9 exactly [1] - 29:1 forget [2] - 7:2, 29:1 discuss [1] - 7:18 couple [3] - 8:25, 10:21, Comprehensive [1] excess [4] - 14:19, formal [4] - 7:20, 8:11, discussed [1] - 23:8 18:17 20:3 15:6, 15:7, 15:22 11:19, 30:9 discussion [3] - 25:11, Court [1] - 31:3 computer [2] - 3:8, **EXCHANGE** [1] - 1:5 25:15. 26:5 forth [1] - 31:7 COURT [1] - 1:23 16:17 exchange [10] - 4:2, **fortunately** [1] - 15:15 disposal [1] - 19:1 court [2] - 2:12, 18:6 concern [2] - 22:23, distribute [2] - 3:20, 6:3 5:2, 8:15, 10:10, 14:9, four [1] - 15:21 covers [1] - 19:10 23:7 14:23, 19:18, 20:13, 28:1, distributed [1] - 6:10 free [1] - 3:4

FREEHOLD [1] - 1:8 4:12, 5:2, 5:4, 6:7, 6:14, **information** [5] - 3:10, kind [3] - 11:22, 23:22, 13:5, 15:21 6:17, 6:19, 6:24, 7:1, 7:6, 3:12, 16:9, 21:3, 21:4 30:9 Freehold [4] - 10:12, 7:8, 7:19, 11:23, 11:25, 14:11, 22:9, 27:25 inherited [1] - 14:13 known [1] - 5:13 М **FURTHER** [1] - 31:8 12:2, 12:22, 17:14, 17:22, instance [1] - 19:2 future [2] - 25:4 18:13, 18:21, 19:24, intended [2] - 24:1, L major [1] - 15:4 27:24, 29:21, 30:3, 30:4, Management [7] - 9:7, 30:11, 30:14, 30:21, 31:6, G intensive [2] - 20:10, land [11] - 4:2, 8:15, 10:7, 10:16, 10:19, 20:3, 23:15 9:14, 14:5, 14:7, 14:9, 22:15, 28:11 hearings [4] - 6:16, intention [1] - 15:8 G-O-C-H [1] - 21:15 14:25, 15:13, 18:20, 23:5, management [1] -6:23, 7:4, 12:20 interest [4] - 5:8, 18:16, 28:12 22:14 **G-O-L-D**[1] - 18:8 **HEARON**[1] - 1:15 19:19, 20:18 lands [3] - 11:1, 19:8, Map [2] - 8:25, 10:5 gather [2] - 11:23, Hearon [1] - 4:20 interested [2] - 15:2, map [10] - 9:3, 9:11, 18:21 **HELD** [1] - 1:5 31:14 9:17, 9:22, 9:24, 10:6, general [1] - 4:23 last [6] - 10:25, 18:21, held [6] - 6:17, 6:20, interests [1] - 27:21 19:24, 26:10, 26:22, 29:25 10:14, 12:5, 13:8 General [2] - 8:24, 10:5 7:4, 25:11, 25:15, 26:5 interference [2] - 2:23, laws [1] - 20:6 maps [2] - 3:6, 9:4 generally [2] - 8:6, hello [1] - 12:10 27:6 lead [9] - 13:17, 13:19, March [1] - 7:1 help[1] - 25:4 interpret [1] - 11:6 15:5, 15:7, 15:10, 16:2, marked [1] - 17:13 Goch [3] - 21:11, 27:23, hereinbefore [1] - 31:7 introduce [2] - 2:17, 4:5 19:8, 25:4 market [2] - 23:4, 28:6 28:8 higher [2] - 22:24, 23:4 involved [1] - 14:24 leads [1] - 21:4 GOCH [2] - 21:12, Mary [3] - 4:24, 11:14, highest [4] - 23:11, involves [1] - 6:14 leasing [1] - 14:7 27:15 27:23 23:23, 23:25, 24:3 issue [4] - 18:22, 24:5, least [2] - 6:6, 19:13 Gold [2] - 17:24, 18:8 MARY [1] - 1:12 Hill [1] - 25:7 24:20, 28:14 left [1] - 10:6 mary [1] - 28:13 gold [2] - 20:22, 28:17 HILL [1] - 25:8 issues [5] - 4:1, 21:23, left-hand [1] - 10:6 matt [3] - 8:24, 9:17, GOLD [4] - 18:1, 18:4, hired [1] - 13:15 25:3, 28:3 legislation [1] - 5:11 18:7, 18:11 history [2] - 12:23, itself [1] - 24:16 Matt [2] - 10:13, 12:4 legislative [3] - 4:8, Golden [1] - 4:19 12:24 7:11, 7:12 **GOLDEN** [1] - 1:13 matter [5] - 2:10, 6:22, hit [1] - 2:4 J legislature [1] - 6:5 11:8, 12:25, 30:6 governs [1] - 5:5 hold [1] - 3:15 lengthy [1] - 5:17 **MATTHEW**[1] - 1:17 GPS [1] - 13:25 holding [1] - 12:20 great [1] - 24:25 **JACKSON**[1] - 1:7 level [2] - 6:4, 27:19 McINERNEY [1] - 1:17 hopefully [2] - 15:12, greater [1] - 24:1 Jackson [10] - 6:19, License [1] - 31:17 mean [1] - 22:22 15:16 6:25, 9:8, 11:2, 11:4, lighter [1] - 10:15 meeting [2] - 2:4, 8:7 greatly [1] - 12:19 HOUSE [1] - 1:2 13:7, 20:9, 23:13, 23:14, likely [3] - 20:13, 20:16, meetings [1] - 14:3 green [1] - 10:15 House [12] - 1:19, 4:7, 24:6 30:10 meets [1] - 8:7 GREEN [1] - 1:1 4:11, 4:16, 7:6, 7:11, Jason [2] - 4:20, 21:22 limitations [1] - 20:7 member [2] - 21:2, Green [7] - 1:16, 1:17, 7:23, 8:2, 8:6, 8:14, 16:6, **JASON**[1] - 1:15 line [2] - 16:4, 17:15 2:8, 3:13, 3:16, 3:18, 5:22 27:18 29:9 Jersey [10] - 1:21, 2:8, lines [2] - 11:5, 11:9 members [4] - 6:5, group [1] - 13:13 housekeeping [1] -5:3, 6:10, 13:6, 19:5, link [1] - 3:5 7:13, 15:15 guess [1] - 14:25 2:10 Guest [2] - 17:3, 17:13 21:6, 24:13, 27:18, 31:4 linked [1] - 5:21 mention [2] - 10:20, Howell [4] - 21:16, **JERSEY** [2] - 1:2, 1:6 11:12 guest [1] - 26:22 links [1] - 3:9 21:18, 21:22, 28:17 **job** [1] - 24:25 list [10] - 2:25, 16:11, mentioned [1] - 7:5 gun [1] - 27:18 **HOWELL** [5] - 21:17, John [2] - 17:8, 24:12 16:17, 17:17, 19:10, mic [1] - 25:18 21:21, 22:10, 22:22, 24:7 join [2] - 16:13, 30:16 25:22, 26:21, 27:14, mic's [1] - 26:16 Н hundred [1] - 13:10 joined [2] - 4:11, 9:2 29:13, 29:15 Michigan [1] - 14:13 hypothetical [5] - 22:4, **joining** [1] - 2:6 listed [2] - 26:9, 26:22 middle [6] - 7:18, 8:9, 22:19, 23:1, 28:18, 28:20 hand [1] - 10:6 joint [2] - 4:12, 7:6 litter [1] - 24:16 8:12, 9:22, 11:20, 30:9 handle [1] - 4:2 jointly [1] - 4:7 local [1] - 6:3 Miksiewicz [1] - 25:24 I handling [1] - 19:1 Judeth [4] - 2:7, 15:19, located [4] - 6:18, 6:21, **MIKSIEWICZ** [1] - 26:1 hang [2] - 16:12, 17:10 27:16, 29:20 9:12, 13:7 million [2] - 15:7, 15:22 happy [2] - 4:16, 29:22 ideas [1] - 25:3 JUDETH [1] - 1:16 Location [2] - 8:25, **Mills** [4] - 9:7, 18:19, hard [1] - 9:11 **IN** [2] - 1:4, 1:7 July [4] - 7:18, 8:12, 20:1, 23:10 Hausman [2] - 26:7, inaccurate [2] - 23:5, 11:20, 30:10 location [1] - 24:2 minimize [2] - 2:22, 26:12 23:18 look [6] - 13:9, 13:16, jump [1] - 26:14 25:4 hazardous [4] - 19:1, **INC** [1] - 1:7 24:4, 27:12, 28:15, 29:2 justify [1] - 28:6 minute [1] - 26:19 19:7, 19:9, 19:12 include [2] - 19:7, 22:20 looked [2] - 22:12, miss [1] - 29:15 health [1] - 6:23 included [2] - 19:9, K missed [1] - 27:1 hear [6] - 11:7, 17:1, looking [2] - 13:8, modern [1] - 13:24 18:1, 18:2, 25:10, 25:19 includes [1] - 23:15 moment [1] - 10:3 keep [3] - 2:21, 2:23, Hearing [2] - 6:9, 11:16 including [1] - 20:11 **LOYER** [2] - 12:10, 13:4 money [1] - 3:19 27:24 hearing [33] - 2:14, 4:7, indicated [1] - 15:21 Loyer [4] - 12:11, 13:1, **MONMOUTH**[1] - 1:9

Monteschio [3] - 4:24, 11:15, 27:15 MONTESCHIO [4] -1:12, 27:16, 28:21, 28:23 most [1] - 30:10 MR [22] - 4:15, 12:10, 12:12, 13:4, 15:19, 17:7, 17:11, 18:1, 18:4, 18:7, 18:11, 20:25, 21:12, 21:17, 21:21, 22:22, 24:7, 24:11, 25:8, 29:20, 30:18, 30:19 **MS** [32] - 2:1, 4:18, 16:8, 16:25, 17:9, 17:12, 18:2, 18:5, 18:10, 20:22, 21:10, 21:14, 21:19, 22:8, 22:12, 23:21, 24:9, 25:6, 25:9, 25:17, 26:1, 26:3,

municipal [2] - 6:4, 28:25 municipalities [1] -

26:7, 26:25, 27:7, 27:16,

27:17, 28:21, 28:22,

28:23, 29:3, 29:24

20:4 municipality [1] - 6:18 Munoz [1] - 12:14 MUNOZ [1] - 1:21 mute [2] - 2:22, 27:7 muted [4] - 12:9, 17:13,

17:25, 21:14

Ν

name [12] - 2:7, 2:18, 4:22, 12:10, 12:13, 13:4, 17:4, 17:8, 18:5, 20:25, 26:10, 26:22 name's [1] - 24:12 names [1] - 29:16 nearest [1] - 9:10 necessity [1] - 12:24 needless [4] - 13:7, 13:14, 13:25, 15:2 neighbors [1] - 14:5 **NEW** [1] - 1:2 New [5] - 2:8, 6:10, 19:5, 21:6, 31:4 new [1] - 16:1 newspapers [1] - 6:11 next [3] - 17:23, 26:9, 30:6 **NJDEP** [9] - 1:12, 1:14, 1:15, 1:16, 1:17, 19:3, 22:3, 23:3, 23:9 non [1] - 3:21 **non-profits** [1] - 3:21 **normally** [4] - 6:17,

6:25, 7:4, 23:24

nothing [1] - 21:12 Notice [2] - 6:9, 11:16 notice [1] - 6:13 Notices [1] - 3:13 number [2] - 16:19, 22:23 numerous [1] - 14:3

0

obligated [1] - 16:14

obligation [1] - 7:7

obtained [3] - 22:3,

obtain [1] - 7:21

occur [1] - 16:3

OCEAN [1] - 1:8

23:9, 23:18

Ocean [1] - 9:9 **OF** [4] - 1:1, 1:2, 1:5, 1.5 **office** [1] - 3:24 Officer [1] - 1:12 officer [1] - 4:24 officials [1] - 6:4 often [1] - 5:13 Ogden [2] - 5:11, 7:9 Ogden-Rooney [2] -5:11, 7:9 old [1] - 13:22 once [2] - 28:9, 29:6 one [19] - 2:12, 5:16, 7:4, 9:23, 10:20, 11:6, 12:5, 13:21, 14:13, 15:14, 15:19, 16:12, 17:10, 21:18, 21:19, 22:2, 28:9, 29:25 One [1] - 28:3 open [2] - 2:20, 8:22 operations [1] - 10:1 **opportunity** [3] - 3:1, 16:12, 16:16 option [1] - 14:9 orange [3] - 10:6, 10:8, 10:17 order [1] - 2:2 ordinance [1] - 24:6 original [1] - 5:13 otherwise [1] - 3:11 outlined [9] - 9:12, 9:16, 9:20, 10:6, 10:8, 10:10, 10:14, 10:17 oversight [3] - 4:9, 4:23, 7:14 **own** [3] - 7:7, 11:3, 24:18 owned [3] - 9:23, 10:9, 14:12 ownership [1] - 11:2

Ρ

P.A [1] - 1:21

p.m [2] - 1:3, 30:22 paid [1] - 14:18 Paone [1] - 12:14 **PAONE** [1] - 1:21 parcel [2] - 13:9, 22:5 parcels [1] - 18:18 parks [2] - 3:21, 3:22 part [10] - 2:20, 5:3, 9:6, 10:16, 23:9, 23:19, 28:5, 28:6, 30:3 participate [1] - 29:22 participation [1] - 30:17 particular [2] - 24:5, 30:11 parties [3] - 18:25, 19:11, 31:10 parts [1] - 27:1 party [1] - 19:21 passive [2] - 23:11, 23:14 pay [2] - 14:16, 14:21 **People** [1] - 16:13 people [8] - 2:3, 2:5, 2:17, 4:14, 11:24, 14:24, 21:6, 26:18 permitted [1] - 20:9 person [6] - 16:18, 16:21, 17:1, 17:12, 17:23, perspective [1] - 22:14 phone [4] - 3:11, 9:3, 16:19 **physical** [1] - 9:25 piece [2] - 14:10, 15:1 Pinelands [5] - 18:8, 20:4, 20:6, 21:22, 29:5 Pistol [4] - 1:21, 5:3, 13:6, 24:13 PISTOL [1] - 1:7 place [1] - 5:12 places [1] - 18:24 Plan [1] - 20:3 plausible [1] - 20:16 Pleasant [1] - 10:7 Plumstead [1] - 9:9 point [5] - 2:16, 2:24, 18:17, 22:5, 28:8 polluted [2] - 15:1, 19:20 **polluting** [1] - 13:19 positive [1] - 14:24 possibly [1] - 14:7 post [2] - 2:14, 6:11 **potentially** [1] - 19:3 pounds [1] - 15:6 preceded [1] - 11:2

Preservation [3] - 18:9, 21:22, 29:6 preservation[1] - 23:13 PRESERVING [1] - 1:25 President [2] - 10:24, pretty [2] - 5:17, 22:18 prevent [1] - 25:4 previous [2] - 15:21, 24:16 private [1] - 19:20 problem [2] - 14:1, 27:11 problems [1] - 13:21 PROCEEDINGS [1] process [8] - 5:9, 5:17, 5:19, 7:9, 7:21, 12:17, 23:24, 29:22 processes [1] - 25:1 professionalism [1] -12:19 profits [1] - 3:21 PROGRAM [1] - 1:1 **Program** [5] - 1:16, 1:17, 2:8, 3:13, 3:16 program [1] - 3:17 project [1] - 15:4 promoted [1] - 23:3 properties [3] - 4:1, 4:23, 9:23 **PROPERTY** [1] - 1:6 property [36] - 3:19, 5:2, 5:6, 5:7, 5:16, 6:18, 7:14, 9:6, 9:18, 10:1, 10:8, 10:11, 11:3, 12:6, 13:10, 13:20, 14:11, 14:12, 14:18, 14:22, 15:1, 15:5, 15:8, 16:3, 20:14, 21:5, 21:8, 22:9, 24:15, 24:17, 27:25, 28:2, 28:10, 28:11 proposal [9] - 3:11, 7:17, 7:20, 7:25, 8:23, 11:13, 11:19, 16:7, 20:17 propose [3] - 8:19, 10:9. 10:18 **PROPOSED** [1] - 1:5 proposed [4] - 5:2, 6:7, 8:15, 18:15 **proposing** [1] - 9:6 PROTECTION [1] - 1:1 **protection** [1] - 20:6 **Protection** [2] - 2:9, provided [2] - 15:24,

21:3

preexist [1] - 20:5

prepare [2] - 5:20, 5:24

presenters [1] - 2:22

provides [1] - 20:10 public [19] - 2:16, 2:21, 5:1, 6:7, 6:14, 6:16, 6:23, 7:4, 11:23, 18:17, 19:19, 20:15, 20:17, 27:2, 27:21, 29:8, 29:21, 30:21 **Public** [3] - 3:13, 6:9, 11:16 **publicized** [1] - 22:24 **pull** [2] - 8:24, 12:4 purchased [1] - 11:1 **purpose** [1] - 29:8 purposes [3] - 3:23, 9:15, 28:4 put [8] - 3:4, 11:15, 15:9, 25:1, 27:3, 27:12, 27:22, 30:1 putting [1] - 13:19

Q

quarterly [1] - 8:7 questions [1] - 2:24 quickly [1] - 21:24

R

raised [1] - 28:9 raises [1] - 28:8 raising [1] - 24:5 **RE**[1] - 1:4 read [2] - 23:12, 25:21 real [1] - 3:24 Real [1] - 4:21 realized [1] - 13:18 really [1] - 20:1 reason [2] - 5:4, 17:18 reasons [1] - 18:17 recollection [2] - 28:14, 28:19 recommendations [1] -8:1 **RECORD** [1] - 1:25 record [14] - 2:4, 11:23, 24:16, 25:12, 25:16, 26:6, 27:3, 27:23, 27:24, 29:4, 29:19, 30:1, 30:4, 30:14 recorded [1] - 2:5 recording [3] - 2:3, 2:12. 30:15 records [1] - 11:3 **Recovery** [1] - 18:23 recreation [6] - 3:22, 20:10, 23:11, 23:15, 23:16, 23:22 regard [1] - 19:12 regarding [1] - 14:4 Register [1] - 6:10

Regulatory [1] - 1:12 regulatory [1] - 4:24 rejoined [1] - 26:11 related [3] - 21:24, 23:7, 31:9 relative [1] - 31:12 released [2] - 3:5, 3:10 releasing [1] - 19:7 relegated [1] - 23:14 relied [2] - 22:4, 23:10 remain [1] - 18:14 remediated [2] - 18:19, 19:15 remediating [1] - 24:15 remediation [2] - 18:22, 19:21 remediations [1] -24:17 remember [1] - 28:23 remembering [1] -28:16 remotely [1] - 6:24 replacement [3] - 22:4, 22:10, 22:25 report [5] - 3:5, 5:20, 5:21, 5:24, 6:3 report's [1] - 5:22 **Reporter** [1] - 31:4 reporter [2] - 2:12, 18:6 **REPORTING** [1] - 1:23 represent [1] - 12:14 representative [1] -8:20 representatives [1] required [6] - 6:3, 6:15, 7:3, 7:19, 7:21, 11:22 requires [1] - 5:15 research [1] - 29:7 resolve[1] - 24:20 Resource [1] - 18:23 resources [1] - 15:16 respect [1] - 24:5 respond [3] - 22:21, 25:22, 29:4 responsibility [3] -18:24, 19:3, 19:14 responsible [2] - 3:18, 19:11 rest [1] - 27:13 result [1] - 20:13 reviewed [1] - 21:2 **RIFLE** [1] - 1:6 Rifle [4] - 1:21, 5:3, 13:6, 24:13 Road [2] - 9:10, 13:9 **ROBERT** [1] - 1:18 rodeo [1] - 16:1 Ron [2] - 26:9, 26:12

Rooney [2] - 5:11, 7:9 roughly [1] - 7:18 Route [1] - 10:12 Run [1] - 10:7

S

S-C-H-N-E-I-D-E-R-M-A-N [1] - 21:1 schedule [1] - 8:10 Schneiderman [3] -20:23, 21:1, 21:10 SCHNEIDERMAN[1] screen [1] - 9:4 screens [1] - 4:14 second [7] - 6:19, 7:3, 12:5, 16:13, 17:10, 23:7, 28:8 Secretary [2] - 1:18, 4:10 section [1] - 3:14 **see** [14] - 3:9, 4:14, 9:3, 9:11, 9:22, 9:24, 10:7, 16:17, 17:14, 17:16, 25:18, 26:4, 26:15, 27:16 seeing [2] - 11:8, 29:16 seem [4] - 16:20, 17:5, 19:2, 27:10 select [1] - 6:5 sell [1] - 19:20 send [3] - 3:3, 17:21, 27:14 **September** [1] - 8:8 serve[1] - 3:24 **SERVICES** [1] - 1:23 set [3] - 8:7, 8:10, 31:7 several [1] - 6:11 sewer [1] - 28:24 shaded [1] - 10:15 Shaughnessy [3] -4:10, 4:16, 29:18 SHAUGHNESSY [4] -1:18, 4:15, 29:20, 30:19 **shooting** [1] - 13:13 shot [1] - 15:9 showed [1] - 29:7 **shown** [1] - 17:3 shows [3] - 9:18, 12:6, 13:8 sign [1] - 8:1 site [1] - 19:14 **situation** [3] - 13:17, 14:15, 15:3 Socey [1] - 14:11 solid [1] - 19:1

solution [1] - 14:6

26:22

someone [2] - 17:3,

soon [1] - 2:15 sorry [12] - 3:15, 7:1, 10:4, 12:9, 17:16, 18:7, 21:14, 26:17, 26:25, 27:10, 28:17 **SPEAKER** [1] - 16:23 speaks [2] - 10:25, 24:16 **specific** [1] - 28:13 specifically [1] - 29:10 spell [1] - 2:17 spelling [1] - 26:4 spent [1] - 15:7 **Spill** [2] - 19:6, 19:10 **sponsors** [1] - 5:13 standard [1] - 23:25 standards [1] - 20:7 started [2] - 2:2, 13:13 **starting** [1] - 16:18 state [1] - 6:22 **STATE**[1] - 1:2 State [38] - 1:19, 3:20, 4:7, 4:11, 4:16, 7:6, 7:11, 7:13, 7:14, 7:15, 7:22, 8:2, 8:6, 8:14, 13:19, 13:23, 14:1, 14:4, 14:8, 14:10, 14:15, 14:20, 15:1, 16:6, 18:21, 19:8, 19:19, 21:3, 21:6, 21:7, 21:9, 28:2, 28:9, 28:12, 29:9, 30:20, 31:4 State's [1] - 19:9 **statement** [1] - 22:7 statute [6] - 5:5, 5:10, 5:12, 5:15, 7:16, 19:7 **statutory** [1] - 7:7 step [1] - 5:19 stepped [1] - 13:2 stewards [2] - 14:5, 15:13 still [2] - 12:2, 17:13 **stop** [1] - 30:14 storage [1] - 18:25 street [1] - 9:10 stronger [1] - 28:20 strongly [3] - 18:15, 19:18, 19:22 structures [2] - 20:11, stuff [2] - 13:17, 13:25 Stump [2] - 9:10, 13:9 subject [1] - 20:6 submit [1] - 12:1 substance [2] - 4:4, 19:12 substances [2] - 19:7, 19:10 **summarize** [1] - 29:8

sometimes [1] - 11:5

summer [1] - 8:9 support [1] - 21:7 survey [3] - 11:5, 13:15, 14:18 surveys [2] - 13:22, 13:23 switch [2] - 9:17, 10:4

Tavern [2] - 9:10, 13:9 tax [2] - 3:19, 9:14 Teams [4] - 3:2, 3:8, technical [1] - 27:11 technology [1] - 13:24 terms [3] - 12:23, 14:14, **THE** [2] - 1:2, 1:6 themselves [1] - 2:17 therefore [1] - 21:6 ticks [1] - 9:1 titles [1] - 11:5 today [6] - 4:12, 4:19, 5:1, 7:3, 7:18, 30:16 today's [2] - 7:19, 12:2 toes [1] - 13:1 together [1] - 11:23 tonight [1] - 8:16 top [1] - 9:24 towards [1] - 9:24 towns [1] - 3:20 **TOWNSHIP** [2] - 1:7, 1:9 Township [6] - 6:19, 6:25, 11:2, 11:4, 23:13, 23:14 Township's [2] - 20:9, 24:6 **Townships** [1] - 9:9 tract [4] - 22:4, 22:11, 22:25, 23:9 transaction [14] - 3:6, 4:3, 4:5, 5:20, 5:25, 6:2, 6:14, 8:13, 11:10, 12:8, 18:14, 18:15, 27:20, 29:12 transactions [1] - 4:9 **TRANSCRIPT**[1] - 1:5 transcript [2] - 2:14, transference [1] - 24:15 Treasurer [1] - 24:12 Trenton [2] - 6:20, 7:5 tried [1] - 14:6 trigger [1] - 7:8 trouble [2] - 25:18, 28:15 true [1] - 31:5

try [6] - 15:13, 17:20,

25:2, 25:3, 25:22, 26:17
trying [2] - 14:4, 17:19
tuned [1] - 26:24
turn [2] - 10:21, 11:11
two [10] - 6:15, 6:20,
11:13, 14:13, 21:18,
21:23, 24:2, 28:3, 30:2,
30:6
type [1] - 25:20

type [1] - 25:20 typing [1] - 26:17

U

unclear [1] - 11:8 under [2] - 18:22, 19:6 understood [1] - 19:23 undertake [2] - 8:21, undertaken [2] - 16:4, 19:17 unfortunately [1] -26:16 UNIDENTIFIED [1] unless [1] - 22:19 unmute [6] - 16:20, 16:21, 17:5, 17:6, 17:19, 26:13 unmuted [1] - 25:19 **up** [27] - 2:20, 4:1, 8:22, 8:24, 9:19, 10:13, 12:4, 12:5, 13:18, 14:6, 14:7, 14:25, 15:5, 15:6, 15:9, 15:11, 16:2, 16:4, 18:12, 19:4, 19:17, 20:19, 21:24, 25:2, 25:3, 29:11, 30:5 **UPPER** [1] - 1:8 **Upper** [3] - 10:12, 14:11, 22:9 upper [1] - 10:5 uses [1] - 20:5

V

valuation [1] - 23:6
value [6] - 22:23, 22:25,
23:3, 23:4, 24:1, 28:6
variety [1] - 7:14
verbatim [1] - 31:5
VIA [1] - 1:5
via [1] - 28:2
viable [1] - 14:8
video [1] - 2:11
VIDEOCONFERENCE
[1] - 1:6
view [1] - 10:13
virtual [2] - 12:22, 31:6
Vosseller [2] - 26:20,

Z
zoning [1] - 23:12 zoom [1] - 8:25